



7614

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	09/943,054
	Filing Date	08/30/2001
	First Named Inventor	Fujimoto, S.
	Art Unit	1614
	Examiner Name	Weddington, K.
Total Number of Pages in This Submission	Attorney Docket Number	109536.161US1

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input checked="" type="checkbox"/> Terminal Disclaimer	- Postcard
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	-Response
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Reply to Missing Parts/ Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	Remarks	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	Wilmer Cutler Pickering Hale and Dorr LLP		
Signature	<i>Hollie L. Baker</i>		
Printed name	Hollie L. Baker		
Date	11/02/2004	Reg. No.	31,321

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:			
Signature	<i>Janet McKean</i>		
Typed or printed name	Janet McKean	Date	11/02/2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



Attorney Docket No. 109536-161  
Serial No. 09/943,054

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): Araki <i>et al.</i>	)	Examiner: Weddington, K.
	)	
Reissue Application of U.S. Patent No.: 5,945,420.	)	Group Art Unit: 1614
	)	
Application No.: 09/943,054	)	
	)	
Reissue Application Filing Date: 8/30/2001	)	
	)	
For: <b>IMMUNOPOTENTIATING AND INFECTION</b>	)	
<b>PROTECTIVE AGENT AND PRODUCTION</b>	)	
<b>THEREOF</b>	)	

**CERTIFICATE UNDER 37 C.F.R. 1.8(a)**

I hereby certify that the attached papers and fees are being deposited with the United States Postal Service under 37 C.F.R. § 1.10, sent as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450 on the date set forth below.

11/2/04  
Date

Janet McKean  
Janet McKean

Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE UNDER 37 C.F.R. § 1.112**

Dear Sir:

Responsive to the First Office Action mailed on August 09, 2004, Applicants respectfully request reconsideration of this application in view of the following remarks.

**Listing of the Claims** begins on page 2 of this paper.

**Remarks** begin on page 9 of this paper.

**Conclusions** begin on page 10 of this paper.